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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

New Caledonia

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power on 7 December 2017 under Article 73 *e* of the Charter of the United Nations. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: New Caledonia is a Non-Self-Governing Territory under the Charter of the United Nations. It is administered by France. New Caledonia is defined as a French overseas sui generis community under the French Constitution and has enhanced autonomy.

Representative of administering Power: Thierry Lataste, High Commissioner of the Republic (since 21 June 2016).

Geography: Located in the Pacific Ocean, about 1,500 km east of Australia and 1,800 km north of New Zealand. It comprises one large island, known as Grande Terre, and smaller islands known as the Loyalty Islands, the Bélep Archipelago, the Isle of Pines and the Huon Islands. There are also several uninhabited islands to the north of the Loyalty Islands.

Land area: 18,575 km² (the Territory as a whole); 16,750 km² (Grande Terre).

Exclusive economic zone: 1,422,543 km².

Population: 268,767 (2014 census).

Life expectancy at birth: women: 80.1 years; men: 74.4 years (2015).

Ethnic composition: 39.1 per cent Melanesians, mainly Kanaks; 27.2 per cent persons of European origin, mainly French; 8.2 per cent Wallisians and Futunians; 2.1 per cent Tahitians; 1.4 per cent Indonesians; 0.9 per cent Vietnamese; 0.9 per cent Vanuatuans; and 21.2 per cent populations classified by the French National Institute of Statistics and Economic Studies as "others".

Languages: The official language is French. About 27 Kanak vernacular languages are spoken in geographically distinct regions. Under the Nouméa Accord, Kanak languages and French are the languages of instruction and culture.

Capital: Nouméa, located in the south of Grande Terre.

Head of territorial Government: Philippe Germain (since 1 April 2015).

Main political parties: The Congress includes four political groups (six members are required to form a group). The two anti-independence groups are the intergroup Calédonie ensemble, Rassemblement, Mouvement populaire calédonien (Les Républicains), and the Républicains calédoniens. The two pro-independence groups are UC-FLNKS et nationalistes (Union calédonienne-Front de libération nationale kanak socialiste, Union pour construire les loyauté, Dynamique unitaire Sud and Parti travailliste) and UNI-Palika (Union nationale pour l'indépendance-Parti de libération kanak).

Elections: The most recent national elections were held on 23 April and 7 May 2017 (presidential election) and 11 and 18 June 2017 (legislative elections). The most recent local elections were held on 23 and 30 March 2014 (municipal) and 11 May 2014 (provincial).

Legislature: Congress of New Caledonia.

Gross domestic product per capita: 3.49 million Pacific francs (2015).

Unemployment rate: 14.7 per cent (2014).

Economy: Mining industry (notably nickel), construction and tourism.

Monetary unit: Pacific franc or CFP franc (1,000 CFP francs = 8.38 euros (fixed exchange rate).

Brief history: In 1774, the British captain James Cook discovered Grande Terre and named it "New Caledonia". France annexed New Caledonia on 24 September 1853. In 1942, the United States of America chose New Caledonia for its military base in the Pacific. Some 20,000 New Zealand soldiers were stationed in New Caledonia during the Second World War. In 1946, France made New Caledonia an overseas Territory with limited autonomy. In the 1970s, supporters of independence were highly active, leading to violence during the 1980s known as the "événements" (events). In 1988, the Matignon Accords led to the establishment of three provinces with the aim of restoring the balance of power. Ten years later, in 1998, the Nouméa Accord provided for the gradual autonomy of the Territory. A referendum on whether New Caledonia should assume full sovereignty will be held between 2014 and 2018, but may not be held in the last six months of the term of the current Congress of New Caledonia. The Congress has until the end of May 2018 to request the administering Power, by a three-fifths majority of its members, to hold the referendum. After that time, the date will be set by the administering Power between May and November 2018.

I. Constitutional, political and legal issues

1. New Caledonia is a sui generis community within the French Republic, governed under part XIII of the Constitution ("Transitional provisions pertaining to New Caledonia"). The French Minister for Overseas Territories, Annick Girardin, has responsibility for New Caledonia, and in that capacity, ensures the coordination and implementation of the actions of the Government of France in accordance with the Territory's status and organization. The administering Power is represented in the Territory by a High Commissioner, who exercises the authority of the French Republic in New Caledonia. This position is currently held by Thierry Lataste. Under the Organic Act of 19 March 1999 concerning New Caledonia, the administering Power retains prerogatives in a number of areas, including diplomacy, immigration and alien control, currency, the Treasury, trade, defence, justice and maintenance of public order. In the area of defence, the High Commissioner performs functions prescribed by the relevant legislation. New Caledonia has an air force base, a navy base and one infantry regiment, with a total of around 1,700 military personnel. The Armed Forces of New Caledonia conduct the sovereign missions of the administering Power and provide support to the territorial Government in the exercise of its civilian security responsibilities.

2. The administering Power is responsible for the maintenance of public order, discharged by almost 400 national police officers and around 800 members of the gendarmerie (including mobile gendarmerie squadrons). To address the concerns of the authorities in New Caledonia, the administering Power reinforced substantially these personnel by deploying an additional mobile gendarmerie squadron in November 2016, creating 53 additional positions (23 for the national police and 30 for the gendarmerie) in 2017 and providing them with new materiel.

3. The Territory is part of the metropolitan French judicial system, with some special features such as the obligation to use customary judges in cases involving disputes between persons with customary civil status. The Court of Appeal is located in the capital, Nouméa. Appeals on points of law can be filed with the French Court of Cassation.

4. The Kanak independence movement was launched in the 1970s in response to the process of decolonization in Africa and Oceania, and as a reaction to the large movements of people from metropolitan France in the late 1960s and early 1970s. In 1984, the Front de libération nationale kanak socialiste (FLNKS) was founded as an umbrella organization for the pro-independence parties, and later that year it established a provisional independent Government. Between 1984 and 1988, about 80 people died in violent confrontations between pro- and anti-independence elements. The violence was eventually halted with the conclusion of the Matignon Accords on 26 June 1988 between FLNKS, the anti-independence Rassemblement pour la Calédonie dans la République and the Government of France. Information on the Matignon Accords and the Nouméa Accord, concluded in 1998, is available in previous working papers prepared by the Secretariat (see, for example, A/AC.109/2016/11).

5. Under the Nouméa Accord, France agreed to transfer certain non-sovereign powers to the Government of New Caledonia between 1998 and 2018. A referendum on whether New Caledonia should assume full sovereignty will be held between 2014 and 2018, but may not be held in the last six months of the term of the current Congress of New Caledonia. The Congress has until the end of May 2018 to request the administering Power, by a three-fifths majority of its members (33 members), to

hold the referendum on the assumption of full sovereignty. After that time, the date will be set by the administering Power. According to the administering Power, since it seems there will be no qualified majority before May 2018, the referendum should take place in November 2018. Although the precise question has yet to be determined, pursuant to the Nouméa Accord, it will refer to the transfer of sovereign powers to New Caledonia, access to an international status of full responsibility and the organization of citizenship by nationality. Should independence be rejected, a second referendum may be held in 2020 at the request of one third of the members of the Congress (19 members). If independence is again rejected, a third referendum may be held in 2022 under the same conditions. If the response is still negative, the parties to the Accord will meet to consider the situation thus created. The full text of the Nouméa Accord is contained in the 1998 working paper (A/AC.109/2114, annex).

6. New Caledonia has a 54-member Congress drawn from the elected membership of the three provincial assemblies (15 of the 22 members of the North Province assembly, 32 of the 40 members of the South Province assembly and 7 of the 14 members of the Loyalty Islands Province assembly).

7. In accordance with the Nouméa Accord, a set of institutions was established to accommodate full recognition of the Kanak identity and culture. There are eight customary councils representing eight customary regions. In addition, a Territory-wide customary Senate with a rotating presidency comprises 16 members, with 2 members selected by each customary council. According to the administering Power, the customary Senate is consulted by the executive and legislative bodies of New Caledonia on all matters related directly to the Kanak identity but has no normative power. The customary Senate has a budget for its operations (article 147 of Organic Act No. 99-209 of 19 March 1999).

8. Political parties in New Caledonia are divided between those favouring New Caledonia remaining part of France and those favouring independence, with a number of nuances within each position. The 2014 election resulted in a Congress of 29 anti-independence and 25 pro-independence members. Alliances forged during the legislative elections of 11 and 18 June 2017 led to a reconfiguration of the political groups in the Congress. For example, the anti-independence movement is now made up of the intergroup with 23 seats following the signing, between the two rounds of the legislative elections, of the common platform for Calédonie dans la France et dans la paix by Philippe Gomès (Calédonie ensemble), Pierre Frogier (Rassemblement-les Républicains), Gaël Yanno (Mouvement populaire calédonien), Pascal Vittori (Tous calédoniens) and the group Les Républicains calédoniens, led by Sonia Backès, with 6 seats. With this majority, Thierry Santa (Rassemblement-les Républicains) was re-elected President of the Congress on 19 July 2017. The pro-independence movements represented in the Congress are Union calédonienne-FLNKS (UC-FLNKS) et nationalistes, with 15 seats; Union nationale pour l'indépendance-Parti de libération kanak (UNI-Palika), with 9 seats; and Libération kanak socialiste (LKS), with 1 seat.

9. Following the resignation of Philippe Dunoyer, who elected to fulfil his term as a member of the Congress, the fifteenth Government, elected by the Congress on 31 August 2017 on the basis of a proportional system, comprises 11 members. It consists of six members of the anti-independence groups (five from the intergroup and one from Républicains calédoniens), and five pro-independence members (three from the Union calédonienne (UC)-FLNKS et nationalistes and two from UNI-Palika). Philippe Germain (member of the intergroup) was elected for the first time on 1 April 2015 and was re-elected on 1 December 2017.

10. There are several electorates in New Caledonia: the general electorate, the special electorate consisting of those eligible to vote in elections to the Congress and the provincial assemblies, and a special electorate consisting of those eligible to participate in the final status referendums under the Nouméa Accord (see A/AC.109/2015/15). The administering Power reports that this latter electorate was established for the first time in 2016. It comprises about 157,869 voters and includes all voters who can demonstrate a strong and enduring commitment to the Territory owing to any of the following: they participated in the 1998 referendum; they hold customary civil status; they are long-time residents (20 years as at 31 December 2014); and their property and personal ties are mainly in New Caledonia.

11. Since 1999, the composition of the electorate for provincial elections has been a subject of intense political and legal debate between supporters of independence and advocates of keeping New Caledonia within the French Republic (see A/AC.109/2014/20/Rev.1). Every year, the special electoral rolls of voters eligible to participate in the election of members of the Congress and the assemblies are updated by special administrative commissions headed by magistrates. Each commission also includes a representative of the Administration appointed by the French High Commissioner, a representative of the mayor of the municipality and two representatives of voters in the municipality (one pro-independence voter and one anti-independence voter).

12. According to the administering Power, electoral matters are a source of controversy and tension in New Caledonia between the pro- and anti-independence parties. The representatives of the pro-independence political groups believe that there are persons who are unduly included on the special provincial electoral rolls and file petitions with the Court of First Instance of Nouméa for their removal from the rolls and for the inclusion of persons belonging to the Kanak community.

13. Following the meeting of the Committee of Signatories to the Nouméa Accord on 5 June 2015 (see A/AC.109/2016/11), a trusted expert was appointed to conduct a quantitative assessment of the electoral dispute. The expert's conclusions were formally presented at the meeting of the Committee of Signatories held on 4 February 2016. According to the administering Power, on the basis of a prior identification of 3,974 persons who were included on the special provincial roll but not on the general electoral roll for 1998, a number of local records were examined to identify those among them who had arrived before 8 November 1998, generating the results presented below.

14. The 3,974 persons registered on the special electoral roll for the election of members of the Congress and the provincial assemblies are divided into the following four categories:

(a) Those whose first recorded appearance is before 6 November 1988: 586;

(b) Those whose first recorded appearance is after 6 November 1988 and before 8 November 1998: 2,326;

(c) Those whose first recorded appearance is after 8 November 1998: 870;

(d) Those whose record did not contain any information: 192.

15. According to the administering Power, the partners agreed that only persons whose first recorded appearance was after 1998 and only those for whom no record had been found had to justify their situation with the administrative commissions. Those 1,062 persons were sent a letter indicating that the administrative commissions that will meet as part of the revision of the special provincial roll would ask them to

send documentation to prove their presence before 8 November 1998. Despite the political agreement, petitions for deregistration were filed with the Court of First Instance of Nouméa because some supporters of independence believed that, although the topic was politically closed, legally it remained open. Although, in the first instance, the judge ordered the deregistration of 54 persons, in October 2016 appeals to the Court of Cassation led to the reversal of those decisions.

16. Organic Act No. 2015-987 of 5 August 2015 on the referendum on the accession of New Caledonia to full sovereignty modified the organization and functioning of the special administrative commissions with the addition of an independent, non-voting qualified person, whose profile, role and process of appointment are established by decree. In addition, it strengthened the powers of the chair of the commission by transferring to the chair certain powers which had previously been assigned to the commission as a whole, namely the power to order investigations and to consult customary representatives. Decisions are taken by majority vote.

17. According to the administering Power, to ease these tensions a team of 13 experts from the United Nations was mobilized in 2016 and 2017. The experts served on the administrative commissions as independent qualified persons to assist with the revision of the special provincial electoral roll and to prepare the special roll for the referendum on self-determination. The experts issued two separate reports in 2016 and a single report in 2017, and made recommendations on how to improve the functioning of the special administrative commissions.

18. In response to the recommendations made by the United Nations experts, the administering Power reports that it has put in place the following measures:

(a) Implementation of an action plan to make the electoral rolls more exhaustive;

(b) Organization of an outreach campaign for registrations on the electoral roll;

(c) Organization of training sessions for the municipalities responsible for organizing the work of the commissions.

19. In this context, with regard to the special electoral roll for the referendum, the administering Power reports that in 2016 and 2017 it made a major effort to identify natives not registered on the roll. According to cross-checks of voter records (civil status, customary civil status, local social security, electoral roll, free medical assistance), 7,000 persons with customary civil status and 3,922 persons with ordinary status born in New Caledonia currently are identified as not being included on the general electoral roll. With the agreement of the political parties, the administering Power has sent 10,922 persons a letter informing them of their situation and explaining the procedure for registration on the general electoral roll before 31 December 2017, a prerequisite for future inclusion on the special roll for the referendum on self-determination. To make the electoral rolls more exhaustive, following the meeting of the Committee of Signatories of 2 November 2017, the pro-independence and anti-independence political groups requested that any person who has resided in New Caledonia for six months and is not included on any electoral roll at the national level be automatically registered on the general electoral roll. An organic draft law has been crafted in that regard to ensure that the procedure is implemented in 2018. Automatic registration on the general electoral roll is the first step toward ensuring that persons satisfying the criteria for registration on the special electoral roll are included on that roll.

II. Budget

20. The administering Power reports that the Territory's financial situation has deteriorated since 2012. The completion of major construction projects (metallurgical plants, construction of the Koutio Médipôle) and falling nickel prices over the period are the two main reasons. The business climate reached its lowest level in the first quarter of 2016 and remains low despite a slight improvement in the third quarter of 2017. Sectoral developments show a mixed picture: an increase in tourism and related activities (restaurants, hospitality); decline in construction and public works and business services.

21. The administering Power reports that New Caledonia faces the need to both ensure its own financial stability, following a decline in revenues, and participate more actively in economic recovery. To that end, in 2017 the Government successfully cut its operating expenses by 9 billion Pacific francs (CFP francs) when compared with 2014 and boosted the working capital of its public institutions, including the Post and Telecommunications Office and the Autonomous Port of New Caledonia in Nouméa. The objective is to maintain the same level of investment in 2017: 9.5 billion CFP francs (almost $83 million) to address, inter alia, the financing needs of critical infrastructure (including the new Société Le Nickel-SLN (SLN) power plant and the Ouiné dam). Also envisaged is a package of economic and fiscal reforms under a shared agenda involving employers and employees, political groups in the Congress and local government, to transition from a model of growth based on foreign investment to a model of growth based on local development.

22. On tax matters, the Congress passed two country laws on 1 September 2016, one establishing a comprehensive consumption tax to replace the existing seven taxes and contributions; the other on competition, competitiveness and prices, which will mainly allow the Government to regulate prices in the event of a breakdown in competition, supply constraints, slippage in the prices of basic commodities or major crisis. The Territory has also established an emergency plan to support employment ("PULSE") which includes measures to revive investment, as well as an export support plan, which aims to diversify the economy, which for years has been focused on nickel. It is also worth noting the unanimous adoption by the Congress, on 11 August 2016, of the NC 2025 New Caledonia land-use planning and development plan.

III. Economic conditions

A. General

23. New Caledonia has one of the richest economies of all the Pacific islands, with a per capita GDP estimated in 2015 at 3.49 million CFP francs. This is largely owing to the preponderance of nickel mining and processing in the island's economy. Nickel production accounts for over 90 per cent of export earnings. However, there are still significant geographic disparities in income distribution, as the South Province, with 74.4 per cent of the population, accounts for 90 per cent of total expenditures and resources, while the North Province accounts for 18.8 per cent and the Loyalty Islands Province accounts for only 6.8 per cent. The economy is also highly dependent on transfer payments from the Government of France. Such payments amounted to over 152 billion CFP francs in 2015, up 0.74 per cent in one year, representing approximately 17.3 per cent of New Caledonia GDP. In comparison, the contribution

of the nickel sector to wealth creation is 3 per cent of GDP. Of the financial resources allocated by France, 48 per cent are used to finance sectors under State control, while 52 per cent are redistributed among local communities, including for development contracts. The Territory runs a significant structural trade deficit, despite a 34 billion CFP francs improvement in 2016 owing to declining imports.

24. According to the administering Power, New Caledonia has enjoyed steady growth over the past decade thanks to the construction of two nickel plants. The standard of living in the Territory is now comparable to that in the vast majority of regions in France and is close to that in New Zealand, which itself is the second highest in the Pacific region, after Australia.

25. According to the administering Power, the main investment drivers used by the Government of France are based on:

(a) Development contracts: the new generation of contracts that will cover the period 2017–2021 includes an allocation of 93.593 billion CFP francs, including 50 per cent in funding by the administering Power (47.136 billion CFP francs, approximately $413 million). The youth sector accounts for 70 of the 208 projects under contract and approximately 30 per cent of the funding that partners have planned to mobilize;

(b) Tax relief: unlike assistance for development contracts that specifically finance structural investments made by public authorities, overseas tax assistance targets private sector economic projects. Investments that received relief totalled more than 10 billion CFP francs in 2016 ($100 million) (estimate provided by the administering Power). The projects account for 79 per cent of social housing operations, even though this sector falls within the exclusive jurisdiction of New Caledonia. While the number of social housing projects submitted remains steady from one year to the next (12 projects on average per year, and a total of 5,000 dwellings over 10 years), the number for "productive" sectors (construction and public works, manufacturing, transport, etc.) is falling (8 projects in 2016 compared to 40 in 2011). The completion of the metallurgical plants has contributed to this decline. The tax relief mechanism was originally scheduled to expire in late 2017, but the French Prime Minister decided to extend it until 2025, offering project managers greater visibility. Major tax-relief investments planned include the acquisition of four Airbus aircraft by Air Calédonie International (Aircalin); the purchase of two new ATR aircraft by Air Calédonie; the construction of a gas-fired power station to supply energy for the SNL metallurgical plant; the construction of a hotel on the island of Lifou; the construction of a resort at Bourail; and the acquisition of several dozen buses for the "Néobus" reserved-lane public transport project.

B. Mineral resources

26. According to the report of the Overseas Issuing Institute for 2016, New Caledonia, with 9 per cent of the world's nickel reserves, is the fourth largest source of that metal in the world, after Australia (23 per cent), Brazil (13 per cent) and the Russian Federation (10 per cent). Cobalt is also mined commercially, and deposits of iron, copper and gold have been discovered and mined on a small scale in the past. Mining is carried out by about a dozen operators, the largest of which are SLN, the Nickel Mining Company, Vale New Caledonia and Koniambo Nickel SAS (KNS). The other operators are small-scale miners, who may or may not be owners of mining claims, and supply SLN or export crude ore. According to the administering Power, in 2016, New Caledonia extracted 15.4 million wet tons of ore, of which 5.82 million

were exported. New Caledonia produced almost 107,500 tons of nickel in 2016, accounting for only 4.2 per cent of world production. This share is expected to increase with the gradual increase in the activities of the Koniambo plant in the North Province and the Goro plant in the South Province. Employment in mining and metallurgy declined by 3.2 per cent over a 12-month period, with the sectors employing an estimated 7,261 people in 2016 (including those employed in related activities such as contractors, ore transporters and temporary workers).

C. Construction and manufacturing

27. The construction and public works sector would account for an average of 11 per cent of the wealth generated and employ some 9 per cent of wage earners in the Territory in 2016. According to the administering Power, after several years of sustained growth, this sector is now suffering following the completion of major projects and the slowdown in new housing construction. However, the law on local tax relief has buoyed the intermediate housing construction sector since 1 January 2014 and will continue to do so until 2018.

28. According to the administering Power, the development of the manufacturing sector is faced with high investment and production costs owing to the small size of the local market and the island status of the Territory, which raises the cost of inputs. To address these handicaps, the local authorities have launched a proactive policy to protect local production (imposition of bans or quotas on certain imports, and tariff protection) and offer tax incentives (preferential tax treatment of imports of investment goods and raw materials).

D. Agriculture and fisheries

29. Although the primary sector (excluding mining) represented around 2 per cent of wealth generation and wage employment (with at least 1,670 wage earners each year), it is nonetheless the principal activity of much of the rural population. In 2016, there were 6,432 farms and a family farming population of about 13,200 in the Territory. Agriculture, livestock and fisheries thus continue to constitute a subsistence economy, although the useful agricultural area is gradually shrinking (by one quarter in 10 years) and the development of the nickel industry and urbanization around these new employment hubs are absorbing part of the agricultural workforce. Cattle-raising on the west coast (mostly by farmers of European descent), pig farming and the export of venison and fish products to Europe are the most important cash-producing agricultural activities. According to the administering Power, New Caledonia is not self-sufficient in most agricultural and livestock sectors, and thus remains heavily dependent on imports.

E. Transport and communications

30. The transport and telecommunications sector accounts for 6.4 per cent of the value added in the Territory (based on 2016 figures), 6 per cent of wage employment (as at the end of 2016) and 4.4 per cent of registered companies. The Territory has a good road system in and around Nouméa. The road infrastructure in the rest of the Territory is gradually improving. New Caledonia has about 5,400 km of roads, of which about half are surfaced. Port activity in New Caledonia is organized around the infrastructure of the Autonomous Port of New Caledonia, based in Nouméa

(ninth-ranked French port and first-ranked overseas port); some secondary ports operated primarily in connection with nickel exploitation (in Grande Terre) and passenger traffic between the islands; and marinas, mainly in greater Nouméa. Overseas cargo shipping (inbound and outbound) is predominantly through Nouméa. The total volume of goods loaded and unloaded, apart from nickel ore, amounted to 3.2 million tons in 2016. The Autonomous Port also handles 8.6 million tons of nickel ore, of which 5.5 million tons are exported, while the rest consists of ore shipped to Doniambo from other mining centres. Container shipping is relatively stable, with just under 100,000 containers loaded, unloaded or trans-shipped. With 3,500 trans-shipments, the Autonomous Port serves as a regional hub, as 89 per cent of the goods trans-shipped remain within the Pacific region (primarily Fiji, New Zealand and Vanuatu).

31. Since 1 January 2000, New Caledonia has had authority over international traffic rights and air carrier operational programmes. Powers in policing and security in respect of air traffic were transferred, for domestic traffic only, on 1 January 2013. The New Caledonia Air Services Agency, a public enterprise of New Caledonia, is responsible for ensuring the continuity of air services. To this end, it owns 99.38 per cent of the shares in the airline Air Calédonie International (Aircalin). Five international companies operate regular flights to the Territory. In 2016, 515,166 passengers (arrivals and departures) were registered at Nouméa-La Tontouta International Airport. Frequent international flights link Nouméa's airport with neighbouring countries and with Japan, the United States of America and Europe. There are regular services from the Nouméa-Magenta domestic airport to the outer islands and major towns in Grande Terre. A new master plan for the airport was approved in June 2013. It will enable the airport to process 1.5 million passengers by 2030, including 600,000 passengers on domestic flights. The Territory-wide modernization of the transport system is also reflected by the development of a conceptual framework for transport for the period up to 2025, focusing on the complementarity and coherence of all modes of transport.

32. Regarding domestic service, New Caledonia has 14 airfields open to public air traffic. Domestic public transport services are provided by three companies. The Nouméa-Magenta airport, through which half of domestic traffic passes, recorded 431,872 passengers (arrivals and departures) in 2016. There are plans to extend and renovate the airport to adapt to the increase in domestic traffic. The work should begin in 2018 and conclude in 2019 and cost 1.5 billion CFP francs, financed as part of the State-New Caledonia development contract for the period 2017–2021. It should also be noted that a third cargo vessel has been put into operation, and work has begun on a project to build new port infrastructure on the island of Ouvéa.

33. The telecommunications sector includes the territorial operator, the Post and Telecommunications Office of New Caledonia, and its partners (Internet service providers, the mobile telephone company Mobilis and content providers). A submarine cable network connection between the Territory and Australia, brought into service in 2008, has significantly increased the Territory's network capacity. In recent years, Internet facilities and usage have grown rapidly. In 2016, mobile Internet services had 36,542 customers. The services have recently been supplemented by the launch of 4G service in the Territory in February 2015. The stated goal is to further reduce the digital divide and facilitate Internet traffic.

F. Tourism and environment

34. In the view of the administering Power, New Caledonia, with its geographical location and cultural richness, has real strengths and considerable tourism potential that has not yet been fully tapped. Tourism is thus a key to the Territory's economic development. The tourism sector accounts for just over 2 per cent of GDP (about $208 million), and 5,500 jobs. In 2016, 115,700 tourists visited the Territory, an increase of 2 per cent compared to 2015. In 2016, 509,463 cruise ship passengers visited New Caledonia, 65,000 more than in 2015.

35. The administering Power indicates that New Caledonia has a unique natural heritage characterized by a high rate of endemism, in particular among plants (76 per cent); striking land ecosystems (rainforest, maquis shrubland), some of which are particularly endangered (dry forest); and the second largest coral reef in the world after the Australia Great Barrier Reef. Recognized internationally as a global biodiversity hotspot, the Territory has now been doubly distinguished by the inclusion, in July 2008, of "Lagoons of New Caledonia: reef diversity and associated ecosystems" on the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage List and by the inclusion, in February 2014, of the lakes of the South Province of Grande Terre on the list of the Convention on Wetlands of International Importance especially as Waterfowl Habitat.

36. According to the administering Power, the various threats to this biodiversity have attracted the special attention of non-governmental organizations, such as the Conservation International Foundation, the World Wide Fund for Nature and the Pew Environment Group. According to the World Wide Fund for Nature, the dry tropical forest, whose few remaining isolated pockets represent less than 2 per cent of the original forest cover, is the most threatened vegetation in New Caledonia. Among the 117 plant species of the dry forest, 59 (50 per cent) are threatened. The first extinction of a plant species was recorded when fire destroyed the only known population of *Pittosporum tanianum*, a distinct species discovered in the mid-1980s.

37. According to the administering Power, biodiversity conservation is now at the heart of government concerns. Various actions are being taken by the three provinces, which have authority over environmental matters, and by the Government of New Caledonia in the exclusive economic zone: implementation of sustainable strategies for the management and conservation of iconic species (dugong, kagu) and heritage ecosystems (including dry forests); and establishment of a New Caledonia nature reserve to coordinate actions among the various partners involved (Government and civil society) in three priority areas, identified as UNESCO World Heritage sites, dry forests and the control of invasive alien species. Protected areas have been established at the provincial level, and the Natural Park of the Coral Sea was established in 2014; its management committee is working to develop a management plan. It covers the entire area under the jurisdiction of New Caledonia, or 1.3 million km^2. It should also be noted that an assessment of all the flora of New Caledonia (more than 3,000 taxa) is being conducted by groups of specialists from the International Union for Conservation, to determine the risks of extinction of various species for inclusion on the Red List of Endangered Species. The assessment began in 2014 and is expected to continue for five years. New Caledonia is also under an obligation to implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and issues import, export and re-export permits. On 11 August 2016, the Congress approved the deliberation on the implementation of the Convention (transposition into local law).

38. Mining activity and its impacts on the natural and human environment on land will henceforth be strictly regulated by regulations established in New Caledonia (the Mining Code in 2009 and provincial environmental codes starting in 2008). However, they do not apply to the soil and subsoil of the maritime space. The codes have chapters on protection of the natural heritage, natural resource management and the prevention of pollution, hazards and nuisance, which impose rigorous requirements in terms of good practices and compensatory measures. Furthermore, the Nickel Fund, which was established in 2009, allows for the gradual rehabilitation of sites affected by past mining activity.

IV. Social conditions

A. General

39. According to the 2016 report of the Overseas Issuing Institute, the Territory has a high human development index. The adult literacy rate is over 96 per cent and school enrolment (all levels) stands at 89 per cent. Nevertheless, according to the French National Institute of Statistics and Economic Studies, the Territory suffers from inequalities and imbalances in several areas, including the social and economic spheres. Some 74.4 per cent of the population is concentrated in the South Province. Including the suburbs of Nouméa, the Greater Nouméa metropolitan area is home to 67 per cent of the population. Population density in the South Province is 29 inhabitants per km^2 (999.7 inhabitants per km^2 in Nouméa), compared to only 5.3 inhabitants per km^2 in the North Province and 9.2 inhabitants per km^2 in the Loyalty Islands Province (2014). Among the population aged 15 years or over, 34 per cent of those living in the North and Loyalty Islands Provinces have no educational qualifications, compared to just 18.31 per cent of those living in the South Province.

40. According to the administering power, in 2016, the Government formed in April 2015 established two mechanisms to combat the high cost of living. At the same time, the High Commissioner is conducting negotiations with the banks with a view to reducing the fee disparities compared with metropolitan France. In early 2017, the Government issued an order imposing a reduction of 25 per cent for three fees: account fees, Internet subscription fees and the fees for setting up direct debits. On 1 September 2017, the banks introduced further reductions, this time by agreement: 30 per cent for Internet subscriptions and debit cards and 10 per cent for direct debits.

41. The concept of economic rebalancing is rooted in the 1998 Nouméa Accord and in the aim of achieving a more harmonious distribution of job and wealth creation throughout New Caledonia in preparation for the Territory's potential accession to full sovereignty. This concept led to the development of a formula for budgetary allocations that proactively favours the North (31.3 per cent) and Loyalty Islands (16 per cent) Provinces on account of their demographic weight and the imbalances to be corrected. It has also resulted in the development of the Voh-Koné-Pouembout area and the establishment of a nickel plant (KNS, with the Glencore partnership) in the North Province.

42. Nearly twenty years after the Nouméa Accord, the central component of the rebalancing initiative is the Koniambo Nickel SAS plant in Vavouto, municipality of Voh. To assist the plant in overcoming financial constraints caused by furnace failures and the collapse of the nickel market, the administering Power indicates that in November 2016 it decided to maintain the tax relief system (Girardin law). According to the administering Power, this fiscal mechanism enabled Glencore, joint shareholder

of KNS, to rebuild furnace No. 2, which resumed operations in December 2017. This will help to increase output. The establishment of the plant has resulted in significant, rapid development in the municipalities of Voh, Koné and Pouembout (the "VKP area"), with housing and infrastructure development facilitated by the various institutions (North Province, New Caledonia Government, Government of France) through their public policies.

43. The administering Power also indicates that it has concluded development contracts with the North Province and municipalities, thereby mobilizing significant financial resources. These subsidies have helped to support the development of municipalities in the area (17 municipalities comprising 199 tribes, which constitute separate villages to be served and provided with infrastructure), and to improve primary infrastructure (drinking water, roads, sanitation and miscellaneous public infrastructure) (see A/AC.109/2017/11).

44. In the South Province, the construction of a metallurgical plant has also received support from the administering Power and local authorities. This plant, located in Goro, is operated by the company Vale New Caledonia. A 95 per cent share of the plant is owned by Vale Canada and a 5 per cent share is owned by Société de Participation Minière du Sud Calédonien, a holding company belonging to the three provinces. The Goro plant uses a hydrometallurgical process, which makes it possible to exploit low-grade nickel ore (see A/AC.109/2017/11).

45. According to the administering Power, the mining company Société Minière du Sud Pacifique SA, which belongs to the North Province, also owns 51 per cent, in partnership with a Korean steel concern, of a metallurgical facility built in Gwanyang, Republic of Korea, which has a nominal capacity of 30,000 tons per year. A second production line has been added at this facility, bringing that figure to 54,000 tons per year.

46. The administering Power indicates that the support loan which it granted to SLN has enabled the company to recover from a perilous financial situation. The administering Power indicates that the company made a net loss over the past four years. Approximately 2,200 people are employed by SLN, two thirds of whom work at the Doniambo metallurgical site in Nouméa.

B. Employment

47. According to employment estimates from the French National Institute of Statistics and Economic Studies, as at the second quarter of 2017, the number of wage earners in New Caledonia stood at 93,084, which was slightly higher than in previous years. Private wage earners accounted for 71 per cent of total wage employment, with the remaining 29 per cent being public wage earners (of which 24 per cent were State civil servants, 36 per cent were New Caledonia civil servants and 40 per cent were contract employees). According to the Overseas Issuing Institute, as in previous years, the number of job seekers continued to grow in 2016 (averaging +9.7 per cent annually, or 657 new job seekers). At the same time, the number of jobs continued to fall in 2016 (-13.5 per cent), with 7,133 new jobs created that year, the lowest number recorded in 10 years.

48. Regional disparities are also evident in the labour market, with unemployment particularly high in the North Province. According to the administering Power, since the Koniambo plant in the North Province gradually began operations in 2012, some 8,000 new jobs have been created, directly and indirectly, many of them for the local

population, although in many cases these were temporary jobs. According to the 2016 report of the Overseas Issuing Institute, the number of jobs fell sharply in the North Province (-19.6 per cent) as a result of the difficulties encountered by the metallurgical plant in the north. The rise in the number of job seekers is notable in the South Province (+11.1 per cent), which is home to three quarters of all job seekers, and also in the North Province (+9.6 per cent). The Government of New Caledonia indicated that it had no statistics confirming the high unemployment rate among Kanaks.

49. In addition, in December 2016, the Congress adopted a country law to promote employment of locals in the New Caledonian civil service (see A/AC.109/2017/11).

50. Lastly, in addition to the corrective measures taken to ensure rebalancing (see A/AC.109/2016/11), the administering Power is committed to addressing the issue of the "caledonization" of jobs by promoting the return to New Caledonia of Caledonian officials posted to metropolitan France.

51. According to the administering Power, some Kanak representatives have in the past expressed concerns over the influx of immigrant labour in New Caledonia. The Government of the Territory has acknowledged this fact, while noting that the immigrant community includes highly qualified workers as well as technicians and managers not available in the local labour force. Furthermore, the duration of stay was limited to 18 months for the first category of these immigrants and to four years for the second category. According to the Government of New Caledonia, three quarters of the immigrant workers employed at the nickel plant in the South Province have already left the Territory. Such demobilization has also accelerated considerably at the North Province plant.

C. Education

52. In 2017, student enrolment in New Caledonian schools stood at 70,916, with 35,150 students in the 266 public and private primary schools and 30,970 students in the public or private secondary schools under contract (17,842 in 57 middle schools and 13,128 in 21 high schools and high school campuses).

53. In 2016, the Congress of New Caledonia adopted an educational project that lays the foundations for schools adapted to the realities of the Territory, based on mutual respect, solidarity and tolerance. In October 2016, a protocol for the implementation of the educational project was signed by the head of the Government of New Caledonia and the administering Power. According to the Overseas Issuing Institute, the protocol provides for the allocation of 5.4 billion CFP francs in appropriations to support the New Caledonia educational project. In December 2016, the Congress adopted a charter for implementation of the education policy in New Caledonia, which includes a three-year action plan for the period 2017–2019.

54. Under the "Cadres for the Future" framework, 1,648 trainees have now been trained and are providing their expertise to various communities, governments and enterprises in New Caledonia. Some 71 per cent of these trainees are of Kanak origin. The success rate is high: 95 per cent of trainees find employment within three months of their return to New Caledonia. Since 2006, the administering Power has maintained its financial commitment at 644 million CFP francs (approximately $5.63 million), while New Caledonia provides 59 million CFP francs ($516,000). New initiatives have been undertaken to identify and train individuals in the following fields of excellence:

(a) Public secondary school teaching: between 2010 and 2017, 35 trainees of Kanak origin received permanent appointments, bringing to 64 the number of teachers of Kanak origin in the public sector;

(b) Medicine and high-level health-sector occupations: in 2017, five practising doctors who had received support from "Cadres for the Future" were of Kanak origin;

(c) Judiciary and legal and judicial occupations;

(d) Senior management and, in general, occupations relating to the exercise of sovereign powers. In these fields, a Kanak passed the maritime administrator examination and is studying at the naval academy.

55. With respect to the social and vocational integration of young people in difficult circumstances, the French army has an adapted military service regiment that provides training in various manual occupations (mechanics, construction, public works, animal husbandry, hospitality, food service) and job placement for approximately 500 young New Caledonians per year. The adapted military service fulfils a social mission and aims to provide a comprehensive response to social exclusion, unemployment, alienation and illiteracy among young people. In view of its success, the programme will be stepped up, particularly in the North Province. The placement rate is 76 per cent, with 90 per cent of volunteers of Kanak origin. The administering Power has agreed to fund about 75 additional places in 2017, which will bring the number of beneficiaries to nearly 600.

D. Health

56. Since 1990, life expectancy at birth has increased in New Caledonia by seven years. In 2015, it was estimated at 80.1 years for women and 74.4 years for men. Indicative of the overall standard of living, these figures for life expectancy place New Caledonia slightly below France and make it a leader in Oceania. The infant mortality rate, which is indicative of the quality of obstetrical and paediatric care in a country, has been dropping steadily, from 27 per thousand in 1980 to 10.7 per thousand in 1990 and 5.2 per thousand in 2015, despite a slight increase compared with previous years (3.7 per thousand in 2014 and 3.2 per thousand in 2013), when the rates were close to those in metropolitan France (3.5 per thousand in 2015).

57. According to the report of the Overseas Issuing Institute for 2016, just over two thirds of adults (67 per cent) aged between 18 and 60 years are overweight. Of those, 30 per cent are overweight and 38 per cent are obese. According to the administering Power, the incidence of addiction, including consumption of alcohol and use of tobacco and cannabis, is high in New Caledonia. The administering Power and local authorities have mobilized to coordinate a strategic health plan for New Caledonia for the years to come (see A/AC.109/2017/11).

58. The Territory has two public hospitals (539 beds and 47 spaces for one-day hospital stays in medicine, surgery and obstetrics), two private establishments (150 beds and 41 spaces for one-day hospital stay) and one specialized psychiatric and geriatrics hospital (185 beds and 83 spaces for one-day hospital stay). A number of projects to restructure hospital services are under way.

59. The Koutio Médipôle hospital near Nouméa, which was built at a cost of 50 billion CFP francs, accepted its first patient on 5 December 2016 and has been operational since 2017. It brings together, on a single site, the new territorial hospital

with a capacity of 539 beds, a logistical health-care facility (Logipôle) of the Pasteur Institute of New Caledonia and an oncology centre. The hospital has consolidated a number of ageing facilities into a state-of-the-art health-care hub built on a 20-hectare campus, with strong links to the urban and natural environment. The overall project concept is based, among other things, on the use of renewable energy sources. The project was funded in part by the administering Power through development contracts ($15.7 billion for the period 2011–2015). In Nouméa, the three private clinic locations are being consolidated to create a single-site private hospital in Nouville. Work on this began in 2015, with the opening planned for the middle of 2018. The new facility, costing 13.2 billion CFP francs, will have a capacity of 269 beds. All medical activities will be carried out on a site covering 25,000 m^2. Lastly, in the North Province, hospital services will be restructured with the construction of a new, 64-bed hospital in Koné, at a cost of 6 billion CFP francs, and the reconfiguration of activities at the Koumac and Poindimié sites to focus on follow-up care and rehabilitation. At the provincial level, integrated public health care is provided through medical and social services centres in almost every town in the Territory. Of these, seven have a total of 78 beds.

V. Relations with international organizations and partners

60. The Organic Act of 19 March 1999 establishes the legal framework governing the establishment of external relations by New Caledonia. New Caledonia has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1992. In 2006, it became an associate member of the Pacific Islands Forum, and in September 2016 was accepted as a full member. According to the administering Power, this was an important step in the implementation of the Nouméa Accord towards a greater international role. In 2017, New Caledonia attended the Forum, held in Apia, as a full member for the first time. The administering Power indicates that New Caledonia now wishes to join the Melanesian Spearhead Group, of which only FLNKS is a member.

61. New Caledonia is also a member of the Pacific Community, the oldest regional organization in the Pacific, which has its secretariat in Nouméa. Other regional agreements to which New Caledonia is a party include the Pacific Regional Environment Programme, the Pacific Islands Forum Fisheries Agency, the Western and Central Pacific Fisheries Commission, the Pacific Islands Development Forum, the World Health Organization, the Oceania Customs Organization, the Oceania Regional Anti-Doping Organization, the South Pacific Tourism Organization and the Pacific Power Association. Regional cooperation among universities has gained momentum since 2013. For example, the Pacific Islands Universities Research Network, formally established on 10 July 2013, brings together 11 Pacific Island universities and aims to contribute in a more structured way to the training of young professionals and development in the Pacific. It thus represents a genuine regional platform to support public policies. Since October 2016, New Caledonia has been attending meetings of the World Health Organization Regional Committee for the Western Pacific as an autonomous non-voting member. Finally, New Caledonia, with the support of the Government of France, was granted associate membership in the International Organization of la Francophonie in November 2016 and in UNESCO in October 2017.

62. New Caledonia has continued to strengthen its ties with the European Union, with which it holds the status of associated overseas territory, as conferred by the

Treaty of Rome. The European Commission office for the Pacific overseas countries and territories is based in Nouméa. According to the Regional Cooperation and External Relations Department of New Caledonia, the Territory received budgetary support totalling 19.81 million euros (2.3 billion CFP francs) from the European Union under the tenth European Development Fund. That programme, which was focused on vocational training, was completed in 2014. Under the eleventh European Development Fund, New Caledonia will receive 29.8 million euros (3.6 billion CFP francs) between 2017 and 2020. New Caledonia has chosen to direct the funds towards implementing its sectoral strategy on employment and vocational integration for the period 2016–2020.

63. In January 2012, the French Minister for Cooperation, the French Minister for Overseas Territories and the President of the Government of New Caledonia signed an agreement on the hosting of representatives of New Caledonia in French diplomatic and consular missions in the Pacific (Oceania). The first New Caledonian representative was appointed to work out of the French Embassy in Wellington in 2012. According to the administering Power, on 9 March 2017, the Congress of New Caledonia adopted by a majority a country law on New Caledonian representatives which allows the Territory to be represented in States or territories in the Pacific. The conditions for their selection and training were defined in decision No. 84/CP of 16 May 2017. In September 2017, New Caledonia invited applications for the recruitment of four representatives to serve in Australia, Vanuatu, Fiji and Papua New Guinea in 2018, following a training period.

64. According to the administering Power, it should be noted that 2016 was marked by heavy investment by the President of the Government of New Caledonia in the development of relations with neighbouring States (see A/AC.109/2017/11). In 2017, New Caledonia renewed its cooperation agreements with Vanuatu. The Government of New Caledonia intends to develop its economic diplomacy in that area.

VI. Position of the administering Power

65. Following the visit to New Caledonia in November 2014 by the President of France, François Hollande (see A/AC.109/2015/15), the administering Power indicates that the work of the successive committees of signatories has focused on four major areas: promoting voting in so far as possible; supporting studies on the institutional future after the Nouméa Accord; supporting the development of a nickel strategy; and concluding the new generation of development contracts for the period 2017–2021.

66. In his policy statement delivered on 4 July 2017, the Prime Minister, Edouard Philippe, reiterated that France will fulfil its role as actor and guarantor of the referendum process for the accession of New Caledonia to full sovereignty.

67. At the meeting of the Committee of Signatories held on 2 November 2017 under State leadership, the New Caledonian political partners agreed on the political need, on an exceptional basis and for the purposes of the referendum, to automatically include individuals residing in New Caledonia on the general electoral roll, which is a prerequisite for their inclusion on the electoral roll for the referendum. This should enable the special administrative commissions to automatically include persons with customary civil status, mainly Kanaks, on the special electoral roll for the referendum, provided that they have lived in New Caledonia for three years, as evidenced by their inclusion on the register of social security recipients and natives with ordinary civil

status. An organic law will be adopted containing this political agreement. With regard to the organization of the referendum, the partners have agreed on an additional period of registration starting in 2018 and on the need to set up polling stations in Nouméa to allow voters on the islands to exercise their right to vote. The State has undertaken to renew its awareness-raising campaign on voter registration.

68. Following the conclusions of the Committee of Signatories, working groups led by the representative of the State in New Caledonia were established locally to work on the implementation of the Nouméa Accord, especially the transfer of powers under article 27, the agency for rural development and land planning, and nickel strategy.

VII. Consideration by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

69. At the Caribbean regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism, held in Kingstown, in the Caribbean, from 16 to 18 May 2017, the representative of the administering Power took the floor. Two independent experts from New Caledonia also participated in the seminar.

70. At its 2nd meeting, held on 6 April 2017, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples agreed to continue discussions on sending a visiting mission to New Caledonia, with the participation of the administering Power.

71. At the Special Committee's 7th meeting, held on 22 June, the representative of the Bolivarian Republic of Venezuela made a statement. At that same meeting, the Special Committee adopted, without a vote, a draft resolution on the question of New Caledonia, introduced by the representative of Papua New Guinea, speaking also on behalf of Fiji. Before its adoption, the representative of Indonesia joined the sponsors of the draft resolution and the representative of Sierra Leone made a statement (see A/AC.109/2017/SR.7).

B. Special Political and Decolonization Committee (Fourth Committee)

72. At the 2nd meeting of the Fourth Committee, held on 2 October 2017, statements were made by the Permanent Representative of Papua New Guinea and the representative of the Bolivarian Republic of Venezuela (see A/C.4/72/SR.2). At the Committee's 6th meeting, held on 6 October, statements were made by the representatives of France and Sierra Leone (see A/C.4/72/SR.6). At the Committee's 9th meeting, on 10 October, the Permanent Representative of Vanuatu made a statement (see A/C.4/72/SR.9).

73. At its 4th meeting, on 4 October, the Committee heard a statement from the President of the Government of New Caledonia, Philippe Germain. The Committee also heard five petitioners (see A/C.4/72/SR.4).

74. At its 27th meeting, held on 8 November, the Committee adopted, without a vote, a draft resolution on the question of New Caledonia, introduced by the

representative of Cuba speaking also on behalf of Indonesia, the Syrian Arab Republic, Sierra Leone and the Bolivarian Republic of Venezuela (see A/C.4/72/SR.27).

C. Action taken by the General Assembly

75. On 7 December 2017, the General Assembly adopted, without a vote, resolution 72/104 on the basis of the report of the Special Committee transmitted to the Assembly (A/72/23) and its subsequent consideration by the Fourth Committee.

Annex

Map of New Caledonia